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OGC Has Reviewed

Chief, General Services Office

5 January 1954

Office of General Counsel

Government Transportation for Agency Employees

1. Reference is made to your request for an opinion as to whether Government transportation may be provided for certain Headquarters communication personnel on duty during other than organizational working hours when public transportation is not available. We believe that our previous opinions regarding the matter of providing Government-furnished or Government-owned transportation for Agency employees assigned to the [REDACTED] 25X1A6a installation are relevant to a consideration of the proposal as submitted.

2. You will recall that in our memorandums dated 15 May 1953 and 18 June 1953, we stated that the prevailing rule regarding this general subject was to the effect, that the cost of providing transportation to an employee's place of employment was deemed to be an expense personal to the employee; that in our judgment the special authorities set forth in Section 10(a)(1) of the Central Intelligence Agency Act of 1949 should be limited to those situations which because of the unusual functions assigned to the Agency, a departure from this normal Government principle was justified; and that in view of the fact considerable doubt existed as to the legality of your several proposals, the question of providing transportation under the circumstances stated should be submitted for formal decision by the Comptroller General.

3. Your present plan for providing a pick-up service for certain Agency employees does not appear to generate any different legal considerations than those which have already been considered. Accordingly, it is our advice that no action be taken to implement the proposal without the prior formal concurrence of the Comptroller General.

25X1A9a

[REDACTED]

OGC/RJB:afb

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